

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
JASON DOHERTY,	:	
	:	
	:	
Plaintiff,	:	
- against -	:	
	:	NOTICE OF MOTION TO
PATRICIA BICE, individually and as Dean of	:	DISMISS THE AMENDED
Student Affairs for Purchase College, State	:	COMPLAINT
University of New York; JARED STAMMER,	:	
individually and as Conduct Officer for Purchase	:	18-cv-10898 (NSR)
College, State University of New York; and QUI	:	
QUI BALASCIO, individually and as Associate	:	
Dean for Student Affairs for Purchase College,	:	
State University of New York	:	
	:	
Defendants.	:	
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PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, and all prior pleadings, papers and proceedings herein, Defendants Patricia Bice, Jared Stammer, and Qui Qui Balascio (together, “Defendants”)¹, will move this Court, before the Honorable Nelson S. Román, at the United States Courthouse for the Southern District of New York, located at 300 Quarropas Street, White Plains, New York, for an order dismissing the Amended Complaint in this action pursuant to Rules 12(b)(1), (c), (h)(2)(B), and (h)(3) of the Federal Rules of Civil Procedure for lack of subject matter jurisdiction and failure to state a claim, with prejudice, and granting such other and further relief as the Court deems to be just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court’s order dated June 2, 2022, Plaintiff’s opposition to Defendants’ motion to dismiss is due by August 31, 2022, and Defendants’ reply is due by September 15, 2022. *See* Order, dated June 2, 2022 (ECF No. 80).

¹ Defendants Stammer and Balascio are no longer employed by SUNY and therefore they are not proper defendants. *See* Fed. R. Civ. P. 25(d).

Dated: New York, New York
August 1, 2022

Respectfully submitted,

LETITIA JAMES
Attorney General
State of New York
Attorney for Defendants

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